



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT 2003 LEGISLATIVE SUMMARY

Please visit the following IDEM legislative web site for this legislative summary and other legislative information: www.in.gov/idem/busleg

Contents

	Page
Multi-Programs	1
State Biennial Budget (HEA 1001).....	1
Environmental Permit Renewals (HEA 1671).....	1
60-Day Permit Review Time Frame (HEA 1671).....	1
Environmental Rulemaking (HEA 1671).....	1
Additional Requirements for Rules that Exceed Federal Standards (HEA 1671).....	1
Fiscal Analyses of Rules (HEA 1671)	2
Public Input on Nonrule Policy Documents (HEA 1671).....	2
EQSC Study of Environmental Rulemaking Process and Board Membership (HEA 1671)	3
Office of Environmental Adjudication Notification of Final Orders to Environmental Boards (HEA 1671) .	3
Rulemaking Restrictions for Steel Mills and Foundry Industries (HEA 1221)	3
Public Records—Availability of Sensitive Environmental Information (HEA 1242 and HEA 1935)	4
Public Notices of Meetings (SEA 169).....	4
Submittal of Reports in Electronic Format (SEA 75)	5
Sentencing Policy Study Committee (HEA 1145).....	5
Class D Felony Convictions (HEA 1260)	5
Government Efficiency Commission (HEA 1001)	5
Interim Study Committee on Renewable Fuels Use and Production (HR 88).....	5
Air Program	6
Open Burning of Vegetation on Agricultural Land (HEA 1657).....	6
Land Program	7
Definition of “Brownfield” (SEA 207)	7
Voluntary Remediation Tax Credit (HEA 1714)	7
Coal Combustion Tax Credits (SEA 417).....	8
Regulation of Coal Combustion Products (SEA 417).....	8
Fee for Transportation of High-Level and Low-Level Radioactive Waste (SEA 160).....	8
Solid Waste Management District Power Restriction (HEA 1221)	8

Water Program	9
Drinking Water Annual Fees (HEA 1001).....	9
NPDES Variances (HEA 1221)	9
Water Body Designations (HEA 1221).....	10
Antidegradation of Designated Waters (HEA 1221)	10
Exceptional Use Waters (HEA 1221)	10
Regional Water And Sewage District Board of Trustees (HEA 1492).....	11
Regional Sewage District Rates And Charges (HEA 1659)	11
Interim Study Committee on Public Lakes (HR 54)	11
 IDEM-Related Enrolled Acts And Resolutions By Bill Number	 12

MULTI-PROGRAMS

STATE BIENNIAL BUDGET

[HEA 1001](#) (P.L. 224-2003)

SECTION 5C; Noncode

Effective July 1, 2003

- Appropriations from the State General Fund and specific dedicated funds are made for each IDEM program for the next two state fiscal years (FY 2003-2004 and FY 2004-2005).

ENVIRONMENTAL PERMIT RENEWALS

[HEA 1671](#) (P.L. 240-2003)

SECTION 9; Amends IC 13-15-4-1

Effective July 1, 2003

SECTION 10; Amends IC 13-15-4-11

Effective July 1, 2003

SECTION 11; Adds IC 13-15-4-12.1

Effective July 1, 2003

- An applicant may not receive a refund of a permit application fee if the permit application concerned the renewal of a permit.
- When a person holding a valid permit concerning an activity of a continuing nature has made a timely and sufficient application for a renewal permit under the rules of one of the boards, IDEM must approve or deny the application on or before the expiration date stated in the permit for which renewal is sought.

60-DAY PERMIT REVIEW TIME FRAME

[HEA 1671](#) (P.L. 240-2003)

SECTION 9; Amends IC 13-15-4-1

Effective July 1, 2003

- The application fee threshold is lowered from \$100 to \$49 for any permit not specifically described under IC 13-15-4-1 that would fall under the 60-day permit review time frame.

ENVIRONMENTAL RULEMAKING

Additional Requirements for Rules that Exceed Federal Standards

[HEA 1671](#) (P.L. 240-2003)

SECTION 4; Amends IC 13-14-9-3

Effective July 1, 2003

SECTION 5; Amends IC 13-14-9-4

Effective July 1, 2003

SECTION 8; Amends IC 13-14-9.5-1.1

Effective July 1, 2003

SECTION 13; Noncode subsection (b)

Effective July 1, 2003

Expires January 1, 2004

- For a first notice of a public comment period in the Indiana Register, the description of the subject matter and purpose of the proposed rule is expanded to include the following:
 - 1) A statement indicating whether each alternative is imposed under federal law.
 - 2) A statement explaining how each alternative that is not imposed under federal law differs from federal law.
 - 3) Any information known to IDEM about the potential fiscal impact of each alternative that is not imposed under federal law.
- For a second notice of a public comment period in the Indiana Register and for rules under the 7-year sunset provision, the information provided in the notice is expanded to include the following:
 - 1) Identify each element of the proposed rule that imposes a restriction or requirement on persons to whom the proposed rule applies that is not imposed under federal law.

- 2) With respect to each element identified, identify:
 - A) the environmental circumstance or hazard that dictates the imposition of the proposed restriction or requirement to protect human health and the environment;
 - B) examples in which federal law is inadequate to provide the protection; and
 - C) the estimated fiscal impact and expected benefits based on the extent to which the proposed rule exceeds the requirements of federal law.
- 3) For any element of the proposed rule that imposes a restriction or requirement that is not imposed under federal law, describe the availability for public inspection of all materials relied upon by IDEM in the development of the proposed rule, including, if applicable:
 - A) health criteria
 - B) analytical methods
 - C) treatment technology
 - D) economic impact data
 - E) environmental assessment data
 - F) analyses of methods to effectively implement the proposed rule
 - G) other background data
- These provisions apply to proposed rules for which IDEM provides notice of the first public comment period in the Indiana Register after June 30, 2003.

Fiscal Analyses of Rules

[HEA 1671](#) (P.L. 240-2003)

SECTION 2; Amend IC 4-22-2-28

Effective July 1, 2003

SECTION 6; Adds IC 13-14-9-4.2

Effective July 1, 2003

SECTION 7; Amends IC 13-14-9-4.5

Effective July 1, 2003

SECTION 13; Noncode subsection (b)

Effective July 1, 2003

Expires January 1, 2004

- IDEM is required to give written notice to Legislative Services Agency of the proposed date of preliminary adoption of the proposed rule not less than 66 days before that date.
- Legislative Services Agency shall prepare the fiscal analysis not later than 21 days before the proposed date of preliminary adoption of the proposed rule.
- Not less than 14 days before the date of preliminary adoption of a proposed rule by a board, IDEM must make available to the board the fiscal analysis prepared by Legislative Services Agency.
- When publishing a third notice of a public comment period in the Indiana Register, the fiscal analysis must also be included.
- These provisions apply to proposed rules for which IDEM provides notice of the first public comment period in the Indiana Register after June 30, 2003.

Public Input on Nonrule Policy Documents

[HEA 1671](#) (P.L. 240-2003)

SECTION 3; Amends IC 13-14-1-11.5

Effective July 1, 2003

SECTION 13; Noncode subsection (a)

Effective July 1, 2003

Expires January 1, 2004

- Before presenting a proposed nonrule policy document to the appropriate board, IDEM must make the following information available to the public at least 45 days before the presentation, including posting the information on the IDEM web site:
 - 1) The proposed nonrule policy document.
 - 2) Information on the availability for public inspection of all materials relied upon by IDEM in the development of the proposed nonrule policy document, including, if applicable:
 - A) health criteria

- B) analytical methods
- C) treatment technology
- D) economic impact data
- E) environmental assessment data
- F) other background data
- 3) The date, time, and location of the presentation to the appropriate board.
- 4) Information regarding the opportunity for a person to comment to IDEM and the appropriate board on the proposed nonrule policy document before or at the time of the presentation.
- IDEM must provide to the appropriate board at the time of the presentation, a copy of all comments made.
- These new requirements apply to proposed nonrule policy documents presented to a board after June 30, 2003.

EQSC Study of Environmental Rulemaking Process and Board Membership

[HEA 1671](#) (P.L. 240-2003)

SECTION 12; Noncode

Effective May 8, 2003

Expires January 1, 2004

- Before November 1, 2003, the Environmental Quality Service Council (EQSC) is directed to do the following:
 - 1) Consider whether the rulemaking operations of the Air Pollution Control Board, the Water Pollution Control Board, and the Solid Waste Management Board are sufficiently independent of the influence of IDEM and other state agencies or entities.
 - 2) Consider the overall efficiency of rulemaking operations of the boards.
 - 3) Submit its final report on these matters to the Governor and the executive director of Legislative Services Agency.

Office of Environmental Adjudication Notification of Final Orders to Environmental Boards

[HEA 1671](#) (P.L. 240-2003)

SECTION 1; Amends IC 4-21.5-7-3

Effective May 8, 2003

- The Office of Environmental Adjudication is directed to notify the Air Pollution Control Board, the Water Pollution Control Board, the Solid Waste Management Board, or the Financial Assurance Board of a final order of the Office of Environmental Adjudication that interprets a rule of the respective board, or a statute under which a rule of the board is authorized.

RULEMAKING RESTRICTIONS FOR STEEL MILLS AND FOUNDRY INDUSTRIES

[HEA 1221](#) (P.L. 231-2003)

SECTION 6; Noncode

Effective May 8, 2003

Expires July 1, 2005

- The Air Pollution Control Board, Water Pollution Control Board, and Solid Waste Management Board are prohibited from adopting a new rule, and IDEM is prohibited from adopting a new policy, before July 1, 2005, if the new rule or policy would require certain types of industries to comply with a standard of conduct that exceeds the standard established in a related federal regulation or regulatory policy.
- This provision applies to certain steel, iron, aluminum, copper, and nonferrous foundries and steel mills that function under specified primary Standard Industrial Classification (SIC) codes, and that experienced at least a 10% job loss or a 10% decline in production in calendar years 2001 and 2002.

PUBLIC RECORDS—AVAILABILITY OF SENSITIVE ENVIRONMENTAL INFORMATION

[HEA 1242](#) (P.L. 173-2003)

SECTION 5; Amends IC 5-14-3-4(b)(19) *Effective May 7, 2003*

SECTION 6; Amends IC 5-14-3-9(d) *Effective May 7, 2003*

[HEA 1935](#) (P.L. 261-2003)

SECTION 7; Amends IC 5-14-3-4(b)(19) *Effective May 8, 2003*

SECTION 8; Amends IC 5-14-3-9(d) *Effective May 8, 2003*

- A record or a part of a record is excepted from public inspection and copying at the discretion of a public agency if public disclosure of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack, including:
 - A) the location of community drinking water wells and surface water intakes;
 - B) infrastructure records that disclose the configuration of critical systems such as communication, electrical, ventilation, water, and wastewater systems; and
 - C) a record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism under IC 35-47-12-1 or an act of agricultural terrorism under IC 35-47-12-2.
- This provision does not apply to a record or portion of a record pertaining to a location or structure owned or protected by a public agency in the event that an act of terrorism or an act of agricultural terrorism has occurred at that location or structure, unless release of the record or portion of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability of other locations or structures to terrorist attack.
- If an agency receives a request to inspect or copy a record that the agency considers to be excepted from disclosure under IC 5-14-3-4(b)(19), the agency may consult with the Counterterrorism and Security Council. If an agency denies the disclosure of a record or a part of a record under IC 5-14-3-4(b)(19), the agency or the Counterterrorism And Security Council shall provide a general description of the record being withheld and of how disclosure of the record would have a reasonable likelihood of threatening the public safety. This provision applies to a board, a commission, a department, a division, a bureau, a committee, an agency, an office, an instrumentality, or an authority, by whatever name designated, exercising any part of the executive, administrative, judicial, or legislative power of the state.

[HEA 1935](#) (P.L. 261-2003)

SECTION 5; Amends IC 5-14-3-2 *Effective May 8, 2003*

- The term “used” is removed from the definition of “public record.”

PUBLIC NOTICES OF MEETINGS

[SEA 169](#) (P.L. 200-2003)

SECTION 1; Amends IC 5-14-1.5-5 *Effective July 1, 2003*

- The methods of public notice requirement for meetings to all news media, which deliver by January 1 an annual written request for the public notices for the next succeeding calendar year, is expanded to transmitting the notice by e-mail or fax, as well as by U.S. mail.

SUBMITTAL OF REPORTS IN ELECTRONIC FORMAT

[SEA 75](#) (P.L. 51-2003)

SECTION 1; Adds IC 5-14-6

Effective July 1, 2003

SECTION 2; Noncode

Effective April 24, 2003

Expires January 1, 2005

- A “report” includes any annual report or other report that is required by statute or voluntarily submitted. A “report” does not include any document prepared for, or at the request of, an individual member or committee of the General Assembly.
- A public agency is prohibited from submitting a report on paper to the IN General Assembly, Legislative Services Agency (LSA), or the Legislative Council. A public agency must submit a report in an electronic format specified by the executive director of LSA.
- An electronic copy of a report must be delivered to the executive director of LSA. A report that is to be sent to each member of the General Assembly is to be sent by e-mail. The public agency must also post the report on the Internet.

SENTENCING POLICY STUDY COMMITTEE

[HEA 1145](#) (P.L. 140-2003)

SECTION 1; Noncode

Effective July 1, 2003

Expires December 31, 2004

- The Sentencing Policy Study Committee is established to evaluate sentencing laws and policies.
- The committee is required to submit a final report of the results of its study to the Legislative Council before November 1, 2004.

CLASS D FELONY CONVICTIONS

[HEA 1260](#) (P.L. 98-2003)

SECTION 1; Amends IC 35-38-1-1

Effective July 1, 2003

SECTION 2; Adds IC 35-38-1-1.5

Effective July 1, 2003

- A court may enter judgment of conviction as a Class D felony with the express provision that the conviction will be converted to a conviction as a Class A misdemeanor within three years if the person pleads guilty to a Class D felony that qualifies for consideration as a Class A misdemeanor, if the person fulfills certain conditions, and if other specified conditions are met.

GOVERNMENT EFFICIENCY COMMISSION

[HEA 1001](#) (P.L. 224-2003)

SECTION 244; Noncode

Effective July 1, 2003

Expires January 1, 2005

- The Government Efficiency Commission is established to review all state-funded agencies, departments, and programs, and make recommendations to improve efficiency and reduce waste or other unnecessary costs.
- The commission is to provide its final recommendations before December 31, 2004 to the Governor and the General Assembly.

INTERIM STUDY COMMITTEE ON RENEWABLE FUELS USE AND PRODUCTION

[House Resolution \(HR\) 88](#); Adopted by the House

- The Legislative Council is urged to establish an interim study committee to study IN renewable fuels use and production.

AIR PROGRAM

OPEN BURNING OF VEGETATION ON AGRICULTURAL LAND

[HEA 1657](#) (P.L. 238-2003)

SECTION 1; Amends IC 13-17-9-1

Effective July 1, 2003

- Open burning of vegetation from agricultural land is allowed for maintenance purposes in an unincorporated area.

LAND PROGRAM

DEFINITION OF “BROWNFIELD”

SEA 207 (P.L. 203-2003)

SECTION 1; Amends IC 13-11-2-19.3 Effective July 1, 2003

- The definition of “brownfield” is amended in the following manner:
 - 1) The condition that a parcel of real estate must be either industrial or commercial property is eliminated.
 - 2) “Reuse” is added as a factor to the conditions of the parcel of real estate to meet the definition of brownfield.
 - 3) The complicating factors are restated as “...the presence or potential presence of a hazardous substance, a contaminant, petroleum, or a petroleum product that poses a risk to human health and the environment.”

VOLUNTARY REMEDIATION TAX CREDIT

HEA 1714 (P.L. 245-2003)

SECTION 26; Adds IC 6-3.1-23-1.5 Effective January 1, 2004

SECTION 27; Amends IC 6-3.1-23-3 Effective January 1, 2004

SECTION 28; Adds IC 6-3.1-23-3.5 Effective January 1, 2004

SECTION 29; Amends IC 6-3.1-23-5 Effective January 1, 2004

SECTION 30; Amends IC 6-3.1-23-11 Effective January 1, 2004

SECTION 31; Amends IC 6-3.1-23-12 Effective January 1, 2004

SECTION 32; Amends IC 6-3.1-23-13 Effective January 1, 2004

SECTION 33; Amends IC 6-3.1-23-16 Effective January 1, 2004

SECTION 35; Noncode—Repealers Effective January 1, 2004

SECTION 40; Noncode Effective January 1, 2004

- The availability of the Voluntary Remediation Tax Credit for the remediation of brownfield sites is extended by two additional years, to 2004 and 2005.
- The eligibility of the tax credit is expanded to apply to the remediation of brownfield sites that go through other remediation programs other than IDEM’s Voluntary Remediation Program, such as IDEM’s Brownfields, State Clean-up, RCRA Corrective Action, and Underground Storage Tanks programs.
- For remediation conducted under IDEM’s Voluntary Remediation Program, the taxpayer shall request from IDEM a certificate of completion issued under IC 13-25-5-16 for the voluntary remediation work plan under which the certified costs were incurred as qualified investments.
- For remediation conducted under a program other than IDEM’s Voluntary Remediation Program, the taxpayer shall request from IDEM a certification that the costs incurred for the voluntary remediation are consistent with the costs certified as qualified investments.
- The voluntary remediation tax credit available to a taxpayer irrespective of whether the property is located in a brownfield revitalization zone.
- The credit does not apply to the extent that the taxpayer uses state financial assistance for the remediation.
- The determinations required of the legislative body of a municipality (or county) to allow the credit are consolidated into a single resolution.

COAL COMBUSTION TAX CREDITS

[SEA 417](#) (P.L. 215-2003)

SECTION 1; Adds IC 6-1.1-44

Effective January 1, 2004

SECTION 2; Adds IC 6-3.1-25.2

Effective January 1, 2004

SECTION 5; Noncode

Effective January 1, 2004

SECTION 6; Noncode

Effective January 1, 2004

- A property tax deduction is established for manufacturers for the assessed valuation of investment property purchased and used to manufacture recycled components composed of at least 15% (by weight) coal combustion product generated in Indiana.
- An income tax credit is established for manufacturers that manufacture recycled components consisting of at least 15% (by weight) coal combustion product generated in Indiana.

REGULATION OF COAL COMBUSTION PRODUCTS

[SEA 417](#) (P.L. 215-2003)

SECTION 3; Adds IC 13-11-2-15.5

Effective January 1, 2004

SECTION 4; Amends IC 13-19-3-3

Effective January 1, 2004

- The types of coal combustion products that the Solid Waste Management Board is prohibited from adopting rules regarding disposal and usage, is expanded.
- The types of uses of coal combustion products allowed is expanded to the following: cover for coal processing waste disposal locations to inhibit infiltration at surface and underground mines; buffering or enhancing structural integrity for refuse piles at surface and underground mines; and agricultural applications.

FEE FOR TRANSPORTATION OF HIGH-LEVEL AND LOW-LEVEL RADIOACTIVE WASTE

[SEA 160](#) (P.L. 148-2003)

SECTION 1; Amends IC 10-8-3-3

Effective July 1, 2003

SECTION 2; Amends IC 10-14-8-3

Effective July 1, 2003

SECTION 3; Adds IC 10-14-8-3.1

Effective July 1, 2003

SECTION 4; Amends IC 10-14-8-6

Effective July 1, 2003

SECTION 5; Adds IC 10-14-8-9

Effective July 1, 2003

- The \$1,000 fee for transporting high-level radioactive waste in Indiana is to be charged for each cask, rather than for each shipment, of nuclear waste.
- A new \$100 fee is established for each shipment of low-level radioactive waste transported in Indiana. The revenue from the fee is to be deposited into the Nuclear Response Fund.
- A person that transports high-level or low-level radioactive waste in IN is required to reimburse each government entity for expenses incurred in providing security.

SOLID WASTE MANAGEMENT DISTRICT POWER RESTRICTION

[HEA 1221](#) (P.L. 231-2003)

SECTION 3; Amends IC 13-21-3-14

Effective July 1, 2003

- Solid Waste Management Districts are prohibited from issuing permits for an activity that is already permitted by a state agency, except as expressly granted by statute.

WATER PROGRAM

DRINKING WATER ANNUAL FEES

[HEA 1001](#) (P.L. 224-2003)

SECTION 128; Adds IC 13-11-2-35.5 Effective January 1, 2004

SECTION 129; Adds IC 13-11-2-142.7 Effective January 1, 2004

SECTION 130; Amends IC 13-11-2-177.3 Effective January 1, 2004

SECTION 131; Amends IC 13-11-2-237.5 Effective January 1, 2004

SECTION 132; Amends IC 13-15-11-1 Effective January 1, 2004

SECTION 133; Amends IC 13-15-11-3 Effective January 1, 2004

SECTION 134; Adds IC 13-18-20.5 Effective January 1, 2004

- The following terms are defined: “community water system” and “nontransient noncommunity water system.”
- For public water systems, the annual operation fees are as follows:
 - 1) For a community water system with more than 400 service connections, \$0.95 per service connection.
 - 2) For a community water system with 400 or fewer service connections, the annual operation fee is \$350.
 - 3) For a nontransient noncommunity water system, the annual operation fees range from \$150 to \$3,000, based on the number served.
 - 4) For a transient noncommunity water system, the annual operation fees are as follows: groundwater \$100; purchase \$50; and surface \$200.
- Public water system annual operation fees begin accruing January 1 of each year, beginning in 2004, and will be phased-in as follows:
 - For 2004, IDEM shall assess the fees not earlier than July 1, 2004, at 1/3 the fee rate.
 - For 2005, IDEM shall assess the fees not earlier than July 1, 2005, at 2/3 the fee rate.
 - For 2006 and each year thereafter, IDEM shall assess the fees not later than January 15, at the full fee rate.
- Provisions parallel to the existing fee system for NPDES, solid waste, and hazardous waste are provided for public water system fees, including the following: due date for remitting fees, paying in installments, penalties, delinquency charges, and enforcement.
- The revenue from the public water system annual fees shall be deposited in the Environmental Management Permit Operation Fund.

NPDES VARIANCES

[HEA 1221](#) (P.L. 231-2003)

SECTION 1; Amends IC 13-14-8-8 Effective July 1, 2003

SECTION 2; Amends IC 13-14-8-9 Effective July 1, 2003

- A variance from a water quality standard that is at least in part the basis of a National Pollutant Discharge Elimination System (NPDES) permit, must meet the conditions specified in federal regulation [40 CFR Part 132, Appendix F, Procedure 2.C](#) and in rules adopted by the Water Pollution Control Board.

WATER BODY DESIGNATIONS

Antidegradation of Designated Waters

[HEA 1221](#) (P.L. 231-2003)

SECTION 4; Noncode

Effective December 31, 2000 (retroactive)

Expires the earlier of July 1, 2006 or the effective date of the rule amendments adopted by the Water Pollution Control Board

- This provision regarding antidegradation of outstanding state resource waters and exceptional use waters, re-enacts an expired provision from SEA 431, passed in 2000, that directs the Water Pollution Control Board to amend existing rules.
- All waters designated as outstanding state resource waters or exceptional use waters are to be maintained and protected. For new or increased discharges in waters designated as outstanding state resource waters or exceptional use waters, an overall improvement in water quality in the water must be demonstrated and is subject to IDEM approval.
- All waters designated as outstanding state resource waters within the Great Lakes system shall be maintained and protected in their present quality in accordance with the antidegradation implementation procedures for outstanding state resource waters established by the Water Pollution Control Board.
- Any rule adopted by the Water Pollution Control Board before December 31, 2000 is void to the extent that it is inconsistent with this provision, or requires protection of waters beyond the protection required by 327 IAC 2-1-2(1) and 327 IAC 2-1-2(2).
- Before July 1, 2004, the Water Pollution Control Board shall amend specified existing rules to reflect this provision.

Exceptional Use Waters

[HEA 1221](#) (P.L. 231-2003)

SECTION 5; Noncode

Effective December 31, 2002 (retroactive)

Expires July 1, 2006

- This provision regarding exceptional use waters, re-enacts an expired provision from SEA 431, passed in 2000, that directs the Water Pollution Control Board to adopt rules.
- Until July 1, 2004, the following apply to a water body that is designated as an exceptional use water before October 1, 2002 :
 - 1) The water body is subject to the overall water quality improvement provisions of IC 13-18-3-2(1).
 - 2) The water body is not subject to a standard of having its water quality maintained and protected without degradation consistent with the provisions of SEA 431, passed in 2000.
- Before July 1, 2004, the Water Pollution Control Board must:
 - 1) determine (effective July 1, 2004) whether to designate each exceptional use water (that was designated as such before October 1, 2002) as an outstanding state resource water; and
 - 2) complete a rulemaking to make any designation of an exceptional use water as an outstanding state resource water.

REGIONAL WATER AND SEWAGE DISTRICT BOARD OF TRUSTEES

[HEA 1492](#) (P.L. 101-2003)

SECTION 1; Amends IC 13-26-1-2

Effective July 1, 2003

SECTION 2; Amends IC 13-26-4-1

Effective July 1, 2003

SECTION 3; Amends IC 13-26-4-4

Effective July 1, 2003

- A regional water or sewage district is allowed to increase its board of trustees to 11 or 13 members.
- If a district contains a state correctional facility, then one member of the board of trustees can be from the Department of Corrections.

REGIONAL SEWAGE DISTRICT RATES AND CHARGES

[HEA 1659](#) (P.L.239-2003)

SECTION 1; Amends IC 13-26-11-2

Effective July 1, 2003

- “Nondiscriminatory” is added to the factors that a regional sewage district board may use to determine rates or charges for sewage works.
- A campground that brought a legal action after January 1, 2000, and before April 1, 2003, against a regional sewage district board concerning sewage service billed at a flat rate, may instead elect to be billed for the sewage service by installing, at the campground's expense, a meter to measure the actual amount of sewage discharged by the campground into the sewers for one year. The highest meter reading for a calendar week for the campground during the year shall be used to determine the resident equivalent units for the campground. The basic monthly charge for the campground's sewage service must be equal to the number of the campground's resident equivalent units multiplied by the rate charged by the board for a resident unit. The board may impose additional charges on a campground if the board incurs additional costs that are caused by any unique factors that apply to providing sewage service for the campground.

INTERIM STUDY COMMITTEE ON PUBLIC LAKES

[House Resolution \(HR\) 54](#); Adopted by the House

- The Legislative Council is urged to establish an interim study committee to study issues concerning public lakes, and to monitor, review, and coordinate the implementation of the recommendations issued by the IN Lake Management Work Group.

IDEM-Related Enrolled Acts And Resolutions By Bill Number 2003 Legislative Session

Enrolled Act Number	Subject(s)
SEA 75	Submittal Of Reports In Electronic Format
SEA 160	Fee For Transportation Of High-Level And Low-Level Radioactive Waste
SEA 169	Public Notices Of Meetings
SEA 207	Definition Of “Brownfield”
SEA 417	♦ Coal Combustion Tax Credits ♦ Regulation Of Coal Combustion Products
HEA 1001	♦ State Biennial Budget ♦ Drinking Water Annual Fees ♦ Government Efficiency Commission
HEA 1145	Sentencing Policy Study Committee
HEA 1221	♦ NPDES Variances ♦ Water Body Designations: • Antidegradation of Designated Waters • Exceptional Use Waters ♦ Solid Waste Management District Power Restriction ♦ Rulemaking Restrictions For Steel Mills And Foundry Industries
HEA 1242	Public Records—Availability Of Sensitive Environmental Information
HEA 1260	Class D Felony Convictions
HEA 1492	Regional Water And Sewage District Board Of Trustees
HEA 1657	Open Burning Of Vegetation On Agricultural Land
HEA 1659	Regional Sewage District Rates And Charges
HEA 1671	♦ Environmental Permit Renewals ♦ 60-Day Permit Review Time Frame ♦ Environmental Rulemaking: • Additional Requirements for Rules that Exceed Federal Standards • Fiscal Analyses of Rules • Public Input on Nonrule Policy Documents • EQSC Study of Environmental Rulemaking Process and Board Membership • Office of Environmental Adjudication Notification of Final Orders to Environmental Boards
HEA 1714	Voluntary Remediation Tax Credit
HEA 1935	Public Records—Availability Of Sensitive Environmental Information

Resolution Number	Subject
HR 54	Interim Study Committee On Public Lakes
HR 88	Interim Study Committee On Renewable Fuels Use And Production